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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

14 J. P., by and through his Guardian
15 Ad Litem, SHANNON VILLANUEVA

16 Plaintiffs,
17 v.

18 COUNTY OF ALAMEDA, DIANE DAVIS
19 MAAS, SUE MAY, TRIAD FAMILY
SERVICES, MARIA REFUGIO MOORE,
and DOES 1-30, inclusive.

20 Defendants.

Case No: 4:17-cv-05679-YGR

**STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND NON-EXPERT DISCOVERY
CUTOFF BY 30 DAYS**

TO THE COURT AND ALL PARTIES OF RECORD:

Pursuant to Northern District Local Rule 6-1(a), Plaintiff J.P. by and through his Guardian Ad Litem, Shannon Villanueva, and all Defendants by and through their respective counsel hereby stipulate to and seek this Court's order to extend non-expert discovery by 30 days from October 31, 2018 to December 4, 2018.

RECITALS

WHEREAS the Court issued its Pretrial Schedule on 2/20/18, at Docket 37, setting the deadline to complete non-expert discovery of 10/31/18;

WHEREAS this Court partially granted the County Defendants' motion to stay in its Order dated 8/13/18 at Docket 68;

WHEREAS the parties met and conferred and agreed on a limited discovery schedule prior to the settlement conference set on 9/25/18 which did not include any County percipient witnesses;

WHEREAS the parties participated in the settlement conference on 9/25/18;

WHEREAS the plaintiff and Maria Moore reached a conditional settlement on September 25, 2018, yet Ms. Moore will be produced for deposition as a witness in this case;

WHEREAS counsel for the plaintiff and Triad Family Services have requested the County Defendants' counsel produce percipient County witnesses for deposition, which Rebecca Widen (counsel for County Defendants) believes cannot proceed given the Court's Order on the stay (Dkt. 68) and the County Defendants' pending appeal, which may require this Court's guidance and for which a joint letter will be forthcoming;

WHEREAS counsel for the County Defendants requested she not be a signatory to this Stipulation "given the Court's lack of jurisdiction over the County Defendants and the stay entered in this case" but also represented to all counsel that she has no objection to this request;

WHEREAS counsel for the plaintiff and Triad Family Services have met and conferred and identified over fifteen (15) percipient witnesses who need to be deposed;

WHEREAS counsel for the plaintiff and Triad Family Services (as well as the County Defendants and Maria Moore) are working diligently on a deposition schedule, completing the

now-identified depositions will be very difficult if not impossible to schedule in one month due to many people's calendars and the obvious; and,

WHEREAS the parties believe they should be able to complete non-expert discovery given another month without altering any other pretrial deadlines.

STIPULATION

IT IS HEREBY STIPULATED to and the parties (except for the County Defendants) jointly request that this Court continue the deadline set for non-expert discovery to be completed from October 31, 2018 to December 4, 2018. The parties have exercised good-faith and diligence in seeking this revision to this Court's pretrial schedule and do *not* seek to alter any of the other dates.

Dated: October 2, 2018

Respectfully submitted,

SCOTT LAW FIRM

/s/ Lizabeth N. de Vries

Lizabeth N. de Vries
Attorney for Plaintiffs

Dated: October 2, 2018

Respectfully submitted,

MATHENY SEARS LINKERT JAIMIE LLP

/s/ Ronald E. Enabnit

Ronald E. Enabnit
Attorney for Defendant Triad Family
Services

Dated: October 2, 2018

Respectfully submitted,

GAVIN CUNNINGHAM & HUNGER

/s/ Alan F. Hunter

Marshall E. Bluestone
Attorney for Defendant
Maria Refugio Moore

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ELECTRONIC CASE FILING ATTESTATION

I, Lizabeth N. de Vries, am the ECF user whose identification and password are being used to file the foregoing documents. Pursuant to Civil Local Rule 5.1(i), I hereby attest that concurrence in the filing of these documents has been obtained from each of its signatories.

Dated: October 2, 2018

SCOTT LAW FIRM

By: /s/ Lizabeth N. de Vries
Lizabeth N. de Vries

~~PROPOSED~~ ORDER

Pursuant to this stipulation, the Court hereby amends the Court's case Management and Pretrial Order, Dkt. 37, to continue the Non-Expert Discovery Cutoff from October 31, 2018 to December 4, 2018.

IT IS SO ORDERED.

Dated: October 4, 2018


THE HON. YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE